

S.B.CIVIL SECOND APPEAL NO.162/1993
Mubarak Ali Vs. Chhatar Singh

17.5.2006.

HON'BLE DR.JUSTICE VINEET KOTHARI

Mr. Mohit Gupta for Mr.NK Maloo, for the appellant.
None present for respondent.

The respondent has filed an application under 0.45 R.13 read with Sec.151 CPC to the effect that the suit premises have since been sold by the respondent to one Smt.Sajjan Kanwar on 18.2.1988 and after the execution of the said sale-deed, the appellant has since vacated the disputed premises and the purchaser Smt.Sajjan Kanwar has taken over the possession of the disputed property and, therefore, this appeal has become infructuous.

Learned counsel for the appellant is not in a position to dispute this position. Accordingly this appeal is dismissed.

(Dr.VINEET KOTHARI), J.

VS/